

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON MAY 01, 2013 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE.

Mayor and Council Members Present: Mayor Brent Marshall and Council Members Tom Tripp, Scott Stice, Neil Critchlow, Mike Johnson and Mike Colson.

Appointed Officers and Employees Present: Chief Kevin Turner, City Attorney Joel Linares and Jennifer Huffman.

Citizens and Guests Present: Lisa Christensen, Adam Nash, Kent Liddiard.

Mayor Marshall asked Attorney Linares to lead the audience in the pledge of allegiance.

AGENDA:

1. Youth Awards.

The following students were recognized for their accomplishments and were awarded certificates and gifts by the Mayor and City Council:

- Maraya Marshall
- Oakley Goodsell
- Hollie Hunsaker
- Tuff Minchew
- Jenika Higley

2. Summary Action Items:

- a. Approval of Minutes of April 17, 2013 City Council Meeting and April 25, 2013 City Council Work Meeting.
- b. Approval of Bills in the sum of \$304,263.80.
- c. Personnel Matters (none).

Councilman Stice stated even though Christine was not at the meeting he could tell she listened to the recording a lot and did a really good job on the minutes. Councilman Tripp commented there were two words that needed to be corrected in the minutes. The first was on page two of the minutes the second sentence in the fourth paragraph should read “dollars were removed” rather than “was”. The second correction was on page eight in the first full paragraph in the first sentence “attendants” should be “attendance”.

Motion: Councilman Stice made a motion to approve the summary action items with the two clarifications to the minutes. Councilman Tripp seconded the motion. All voted in favor and the motion carried.

3. Consideration of a concept plan for Subdivisions Inc. and Adam Nash on Ranch Road Phase 3 to develop 42 lots at 150 South 720 East.

Mayor Marshall explained Adam had come in once before for approval and was not at the 70% required by City Code. The Mayor said he is currently at the 70% and has exceeded it. Councilman Stice asked where Phase 2 was in conjunction with this phase. Mr. Nash explained Phase 1 was actually four lots to the west with a retention basin and a park to the north of it and Phase 2 is all of the existing lots which comprised of 54 residential building lots. Councilman Stice clarified with Mr. Nash Phase 3 is to the east.

Mr. Nash reported they would like to take the balance of the 42 lots and break it into two sub-phases. The first 20 lots would be Phase 3A and the remaining 22 lots would be Phase 3B. He stated the improvements on 3B on Durfee Street are already in so the whole frontage of the subdivision has been completed. Councilman Tripp stated he was pleased to hear Mr. Nash acknowledge the retention basin was supposed to be a park as agreed upon for Phase 1 and 2. Councilman Tripp asked if they had contributed anything towards the park. Mr. Nash said they contributed a lot of land, engineering and improvements. Councilman Tripp said it was the retention basin to handle the runoff water from the lots and pavement put in but they were supposed to put grass and make it a park. Mr. Nash stated it was eight or ten years ago but the basin is much larger than required for the subdivision. Councilman Tripp informed Mr. Nash the City invested money to make it a park. Councilman Tripp explained he would like to see Mr. Nash contribute more park facilities to the neighborhood. Mr. Nash stated he would not add any more parks, he feels they have already contributed far more than their share.

Councilman Johnson inquired if this is approved, what will be done about construction traffic on Eastmoor. It was explained to Mr. Nash that all construction equipment must use the Durfee Street entrance to the subdivision. Mr. Nash stated he will pass the information along but that is all he can do. Councilman Johnson asked Mr. Nash who will pay to have the road repaired if the construction vehicles drive on streets they have be instructed not to. Mr. Nash stated they installed a whole loop from one end to the other. He stated if the City is going to require construction vehicles to only have access from Durfee, then it should be part of the construction permit issued by the City. Mayor Marshall advised Mr. Nash it will be added to the two permits on the Building Inspector's desk.

Mayor Marshall stated the issue here is to approve Phase 3 to develop 42 lots. Councilman Colson commented he did not have any notes from Planning and Zoning. The Mayor explained it was a meeting for the 70% requirement of sold lots. Mr. Nash and Mayor Marshall agreed this was approved

by the Planning and Zoning Commission three months earlier, but the City Council denied it because he had not reached the 70%. Councilman Critchlow did not think anyone brought up the issues discussed tonight at the Planning and Zoning Meeting, such as the Durfee Street access. Mayor Marshall explained it had originally been mentioned in the City Council Meeting. He stated he will make sure the building permits state they need to enter from Durfee Street. Mr. Nash said he would notify the builder as well. Councilman Colson asked if Mr. Nash had stated they have a single builder. Mr. Nash answered they have a single builder and the builder is Mountain Vista. They have been the builder for the last three and a half years.

Councilman Johnson noted the City had experienced the same problems with the South Willow subdivision. Mayor Marshall stated the only way to eliminate these problems would be to require them to develop the park prior to the subdivision ever selling lots. Councilman Critchlow said he would discuss it with the Planning and Zoning Commission. Mr. Nash stated there was a bond in place which clearly identified the obligations of both parties; there were plans that went through over a year of engineering and review, percolation tests and soil tests done to design the retention basin. Mr. Nash is positive the bonds that were posted would have included if there were supposed to be benches and pavilions included but they were not. Mr. Nash stated they bonded and guaranteed the completion of improvements to the City. He then said the project was developed, it was inspected by the City and the bonds were reduced and ultimately released.

Councilman Tripp addressed the Durfee Street access and recalled the City suggesting they put two entrances on Durfee and not come down Eastmoor. Mr. Nash stated that was not true at all. Councilman Tripp explained Mr. Nash suggested he would lose lots if he were required to do that.

Mayor Marshall reminded everyone the issue was to approve Phase 3 to develop 42 lots. Councilman Johnson stated realistically Mr. Nash has done the 70% and is should be approved. The Mayor said the pond has been planted and turned into a park through funding by the City. Mr. Nash stated they provided the land and water and thanked the City for planting it. Mr. Nash clarified they would like to split Phase 3 into two sub phases A and B. Councilman Stice asked how far they plan to develop the road for Phase 3A. Mr. Nash answered they will go one lot passed each side which will allow for emergency vehicle access.

Motion: Councilman Colson made a motion to approve the concept plan for the Ranch Road Phase 3 to develop 42 lots with it being divided into two phases, 3A (20 lots) and 3B (22 lots) with Phase 3B being delayed until Phase 3A is at 70%. Councilman Stice seconded the motion. All voted in favor and the motion carried.

4. Consideration of Ordinance 2013-12 enacting a new Title 10, Chapter 2 of the Grantsville City Code, by adopting recycling management regulations.

Mayor Marshall explained the City is at 71% for recycling services. He stated we are looking at starting July 1st with contracts. The Mayor commented changes had been made as requested by the Council and other changes that had been brought up. Councilman Tripp expressed concerns about informing the public of the recycling rules. He was told an information packet will be delivered with every recycling can which will explain what is acceptable and not acceptable.

Motion: Councilman Johnson made a motion to approve Ordinance 2013-12 enacting a new Title 10, Chapter 2 of the Grantsville City Code, by adopting recycling management regulations. Councilman Colson seconded the motion. All in voted in favor and the motion carried.

Councilman Critchlow stated he wished they were more specific in all of the areas of the recyclable materials. The Council discussed the options to opt out for new home owners. In the future, citizens will be allowed to opt out in June. Attorney Linares explained anyone in the community can opt out in June.

5. Consideration of Resolution 2013-05 to participate as a member of the Utah Communication Agency Network and to appoint a representative for the Utah Communication Network Board.

Mayor Marshall explained this is the UCAN fees for Police and Fire. Mayor Marshall stated the representative would be Police Chief Kevin Turner with Fire Chief Bret Anderson as the alternate representative. The Mayor explained the representative for the County is Bucky Whitehouse and he is the one who gets to vote. Councilman Tripp asked what the City's fees are for this. Mayor Marshall answered our UCAN fees for law enforcement are around \$6,000. He stated these are the radio fees.

Motion: Councilman Tripp made a motion to adopt Resolution 2013-05 to participate as a member of the Utah Communication Agency Network and to appoint Chief Kevin Turner as a representative and Chief Bret Anderson as the alternate for the Utah Communication Network Board. Councilman Critchlow seconded the motion. All in voted in favor and the motion carried.

6. Consideration of awarding the contract for the disposal of recyclable materials following collection by Grantsville City or its designated agent.

Attorney Linares explained when the City put out the RFP for the recycling program Rocky Mountain Recycling submitted a bid to just take the recyclable materials and pay the City. He stated this is a secondary contract to the recycling program.

Motion: Councilman Stice made a motion to award the contract for the disposal of recyclable materials following collection by Grantsville City or its designated agent to Rocky Mountain Recycling. Councilman Tripp seconded the motion. All voted in favor and the motion carried.

7. Matters for review.

Mayor Marshall advised the Councilmen the following were provided for their review.

A. Contract for UCAN.

B. ACE Disposal Agreement/Notice to Award/Notice to Proceed.

8. Mayor and Council Reports.

Mayor Marshall stated Laurie Hurst would like to make a short presentation and then he and the Council would give their reports. The Mayor explained the Council could not make a decision but they could listen to the presentation and it will be placed on the next City Council Meeting agenda for formal approval. Mayor Marshall turned the time over to the representative for the Friends of the J. Reuben Clark Farm.

Brad Hurst addressed the Council. He stated they are in the application process of establishing the Friends of the Clark Historic Farm as a non-profit corporation. Mr. Hurst explained when and if the lease on the J. Reuben Clark Historic Farm is established for a long term presence on the property, they hope to establish an operating board of directors. He said they have been given preliminary approval to join the Tooele Valley Community Cooperative and when their application is approved at the next meeting they will be eligible to solicit and accept tax-deductible donations.

Mr. Hurst remarked for the first activities the directors and friends of the farm will loan money to get things rolling. He reported admissions and sales from events held at the Farm will fund the immediate needs until long term arrangements for use of the Farm can be established. He stated local businesses will be invited to sponsor the Farm and their logos can appear on banners during public events. Mr. Hurst explained the J. Reuben Clark Farm is an excellent candidate for grants and listed several identified as grants they plan to pursue.

Mr. Hurst went on to explain the immediate plans are to have a clean-up day. He commended the City for care that has been given to the grounds and buildings located at the Clark Farm. He described their plans to make minor repairs to the structures and then as the future becomes solidified their long term plans for the Farm. The Friends of the Clark Farm provided a list of events they would like to have this year. Mr. Hurst explained the first would be at Memorial Day which would be called "Flapjacks at the Farm" with a 5K race. The next event planned is a Pioneer/Farming Camp for kids in June. And then they have invited the LDS Church to hold their Pioneer Day festivities at the Farm. Mr. Hurst described other events they would like to plan for the rest of the year.

Mr. Hurst concluded by asking the City to consider allowing them to use tables, chairs or bleachers owned by the City to stage events and to consider waiving the event fees. He requested the City provide a clear, written measure of what would constitute success of the Farm. Mr. Hurst asked the Council to approve the Memorial Day event as soon as possible so they can move forward. Councilman Tripp suggested they fill out the Special Events Application and then approve it administratively.

Tami Wright spoke in favor of the events planned for the Clark Farm. She said she works for the State Parks and commented on the benefits of supporting this type of endeavor. She expressed her belief that this can be very successful.

The Council informally voted to approve the Memorial Day events planned for the Clark Farm.

Mayor Marshall reported the Mayor and Council Reports would be given after the Closed Session.

9. Closed Session (Personnel, Real Estate, Imminent Litigation)

Motion: Councilman Tripp made a motion to go into a closed session. Councilman Colson seconded the motion. All in voted in favor and the Council went into a closed session at 8:30 p.m.

Motion: Councilman Tripp made a motion to end the closed session. Councilman Critchlow seconded the motion. All in voted in favor and the Council ended the closed session.

Mayor Marshall stated the Mayor and Council Reports would now be given. He attended the Dare Graduations at Willow and Grantsville Elementary Schools, the EDCU meeting with the executive board discussion about the development of Tooele Valley, the USU breakfast awards banquet where Attorney Linares was given an award for Adjunct Professor of the Year and the USU Graduation where numerous Grantsville citizens received their diplomas. Mayor Marshall met with former principal Keith Davis and current principal Charlie Mohler to discuss the ball fields and installing new backstops. He passed the information on to Councilman Colson and hopefully they can get the baseball association to do the installation. Mayor Marshall attended the presentation of the Teacher of the Year Award to Shelly Mourtgos by Karen Huntsman at the Grantsville Junior High. He and Attorney Linares met with Miller Motorsports Park representatives which went well. They have another meeting scheduled for May 16th which will include the County. The Mayor signed and presented Arbor Day Certificates to the fifth grade poster winners at Grantsville and Willow Elementary Schools. He attended the pre-disaster mitigation meeting which is a FEMA mandate for natural disasters in your area requiring a natural disaster plan. Mayor Marshall attended the Small Business Development Committee Meeting Quarterly Report where a discussion was held developing some short and long term goals. He attended the County Commission Meeting. The County Commission is still working on budget items. Mayor Marshall requested approval to hire three seasonal maintenance employees to maintain the parks and cemetery.

Motion: Councilman Stice made a motion approve hiring three people. Councilman Critchlow seconded motion. Councilman Johnson asked when the other two would be hire. Mayor Marshall stated by the end of the month. All in favor and the motion carried.

Mayor Marshall stated he would like to pay off the '98A and '98B water loans the City had. He explained it would require taking approximately \$120,000 from the water cap improvement fees. The Council discussed the fees the money would come from.

Motion: Councilman Tripp made a motion to approve to pay the bill on the '98A and '98B bonds using the money indicated. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

Mayor Marshall reported he received the Impact Fee Study. Attorney Linares stated the fees for the public works were not included. The Mayor stated he would contact Craig Neeley.

Councilman Stice stated the mosquitoes were out in force. He reported they started spraying for them on Monday. Councilman Stice said six trees were ready for planting at the park and plans were in place to plant on Saturday. He requested someone mark the sprinklers. The Mayor said he talked with Joel Kertamus and Mr. Kertamus had suggested where to plant the trees. Councilman Stice stated if they want to mark the spots to plant the trees, that would work real well. Councilman Stice attended the Library Meeting and they talked about purchasing a recording device. Mayor Marshall suggested getting the same used at City Council Meetings. The Library Director will purchase the recorder. Councilman Stice was asked about the high pressure sewer line going past Gunderson Acres and what it would take for a developer to tie into the line. Mayor Marshall stated it would take quite a bit as it is the line coming out of the Reckitt Benckhiser building. The City does not own the line.

Councilman Colson reported he talked with the Principal Mohler about adding the backstop at the ball field and looked at where it will be placed. There are some guys lined up to get it added. Mayor Marshall added it will provide another place for kids to have practice.

Mayor Marshall stated the County had their CAT fixed and were planning to drop it off at the Mountain Vista Park. It will be used to level the dirt.

Councilman Critchlow stated we may need to use the sandbag filling machine owned by the County for the Fourth of July fireworks at the Complex. Mayor Marshall stated because it is their event, they should provide the sandbags.

10. Adjourn.

Motion: Councilman Stice made a motion to adjourn. Councilman Critchlow seconded the motion. All voted in favor and the meeting was adjourned at 9:38 p.m.